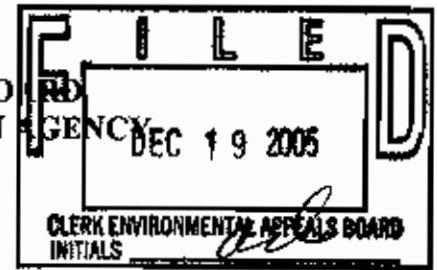


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:)

Blue Plains Wastewater Treatment Plant)

NPDES Permit No. DC0021199)

) NPDES Appeal Nos. 05-01
) and 05-02
)
)

**ORDER GRANTING UNOPPOSED MOTION
FOR SECOND STAY OF PROCEEDINGS**

On December 14, 2005, Region III of the U.S. Environmental Protection Agency filed with the Environmental Appeals Board a motion for a second stay of briefing in the above-captioned matter. At the present time, Region III's response to the petitions for review is due to be filed with the Board on Monday, January 16, 2006. In its motion, Region III reports that it has made a settlement proposal to petitioners and has received indications that a basis for continued settlement discussions exists and/or that settlement may potentially be reached in whole or in part. Accordingly, the Region seeks a stay of an additional sixty days in order to pursue the possibility of substantially narrowing, if not resolving, the issues that will ultimately require resolution by the Board. Region III states that it consulted with petitioner Friends of the Earth and Sierra Club and petitioner District of Columbia Water and Sewer Authority, and neither party opposes this requested extension of the stay of proceedings.

For good cause shown, Region III's motion for a stay of these proceedings is hereby **GRANTED**. The Region's brief in response to the two petitions for review must henceforth be

filed with the Board on or before **Thursday, March 16, 2006**. Until that time, the Board will continue to take under advisement the pending motions of the Combined Sewer Overflow Partnership and the National Association of Clean Water Agencies to participate and file a non-party brief in this matter.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: December 19, 2005

By: Anna L. Wolgast
Anna L. Wolgast

Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Granting Unopposed Motion for Second Stay of Proceedings and Establishing Status Report Schedule** in the matter of Blue Plains Wastewater Treatment Plant, NPDES Appeal Nos. 05-01 and 05-02, were sent to the following persons in the manner indicated:

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Dated: DEC 19 2005


Annette Duncan
Secretary